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Attorney for Defendant
FRED P. DeNICOLA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 1: 99 CR 05436 OWW
)	
Plaintiff,)	WAIVER OF APPEARANCE
)	AND ORDER THEREON
v.)	
)	
FRED P. DeNICOLA,)	DATE: August 20, 2007
)	TIME: 1:30 p.m.
)	PLACE: Courtroom Three
Defendant.)	HONORABLE OLIVER W. WANGER

Defendant, FRED P. DeNICOLA, hereby waives his right to be present in person in open court upon the hearing presently set for August 20, 2007 at 1:30 p.m. in Courtroom Three of the above entitled court. Defendant hereby requests the court to proceed in his absence and agrees that his interests will be deemed represented at said hearing by the presence of his attorney, JOHN F. GARLAND. Defendant further agrees to be present in person in court at all future hearing dates to be set by the court including the date set for a contested hearing.

Dated: August 6, 2007

/s/ Fred P. DeNicola
FRED P. DeNICOLA

ORDER

Good cause appearing,

IT IS HEREBY ORDERED that defendant FRED P. DeNCOLA is hereby excused from appearing at the court hearing scheduled for August 20, 2007 at 1:30 p.m.

IT IS SO ORDERED.

Dated: August 7, 2007

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE